

R307-415-4

2. Title: Applicability.

3. Type of notice: Amendment

4. Purpose of the rule or reason for the change:

The purpose of the amendment is to update the Utah rule to match changes in the federal rule.

6. Summary of rules changes:

Changes in the text of R307-415-4 exclude five area sources of air pollution from the requirements of R307-415. This change is made because, on December 19, 2005, notice was published in the Federal Register (70 FR 75319) granting an exemption to certain area sources from Title V Operating Permit Programs (40 CFR Part 70). The exemptions were promulgated in individual Subparts of Part 63. The area sources that were granted exemption are those subject to the following Federal requirements: 1) National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities (40 CFR Part 63, Subpart M); 2) National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks (40 CFR Part 63, Subpart N); 3) Ethylene Oxide Emissions Standards for Sterilization Facilities (40 CFR Part 63, Subpart O); 4) National Emission Standards for Halogenated Solvent Cleaning (40 CFR Part 63, Subpart T); and 5) National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production (40 CFR Part 63, Subpart RRR). R307-415 is the Utah rule implementing 40 CFR Part 70.

7. Summary of costs

A. To State Budget

There is no cost to the state budget because all costs for the operating permits program are covered by user fees.

B. To Local Government

Local governments in Utah are not known to operate any facilities affected by this change.

C. To Other Persons

There will be some savings for sources. Previously, some of the sources were required to compile and submit inventories of their emissions to the Division of Air Quality, and they paid a fee based on the amount of their emissions. Now, they are no longer required to submit inventories or pay fees, and they will not have the expense of applying for, and complying with the conditions of, operating permits.

8. Compliance costs for affected persons:

There will be some savings for sources. Previously, some of the sources were required to compile and submit inventories of their emissions to the Division of Air Quality, and they paid a fee based on the amount of their emissions. Now, they are no longer required to submit inventories or pay fees, and they will not have the expense of applying for, and complying with the conditions of, operating permits.

9. Comments by the Dept head on the fiscal impact the rule may have on businesses:

Generally, the exempted sources emit small amounts of air pollutants, and their costs for participation in the operating permits program were small. Exempting them from the program removes those costs. (Dr. Dianne Nielson, Executive Director, Utah Department of Environmental Quality)

10. Authorizing statute: 19-2-109.1; 19-2-104

11. Materials incorporated by reference?

12. Public comment and hearing info:

13. May become effective on: September 6, 2006

14. Keywords: air pollution, environmental protection, operating permit, emission fee

Agency Head or Designee

M. Cheryl Heying

Date

June 7, 2006